

CUSTOMER NO.: 24498  
Serial No. 10/776,560  
Office Action dated: 01/08/08  
Response dated: 03/06/08

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Remarks/Arguments

Reconsideration of this application as amended is respectfully requested. Claims 1, 6, 7, 8 and 9 have been amended; claims 2, 10 and 11 have been canceled. Claims 12 and 13 were previously canceled. As a result, claims 1 and 3-9 are in this application and are presented for the Examiner's consideration in view of the following comments.

Claim 6 has been rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Applicants have amended claim 6. Applicants respectfully submit that amended claim 6 comports with the guidelines described in MPEP §2106 with regard to a computer-readable medium encoded with a data structure.

Claims 7, 8 and 9 have been amended to comport with the changes to claim 6.

Claims 1-11 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication 2004/0062398 published April 1, 2004 for Robert Allan Unger (*Unger*). Applicants have amended claim 1 to include the requirements of dependent claim 2, which has been canceled. Applicants have also canceled claims 10 and 11. Otherwise, Applicants respectfully disagree.

With regard to the requirements of dependent claim 2 – now included as a part of claim 1 - the Examiner states that *Unger* describes Applicants' claimed requirement that "step (c) is carried out only if the control packet identified in step (b) is not already stored in said table" since, according to the Examiner, *Unger* describes that "multiple packets have ECM and all are different with respect to a function of time or packet number" [*Unger*, [0022], [0026]]. Applicants respectfully do not agree.

The Examiner's cited portion of *Unger* has nothing to do with Applicants' claimed invention. In particular, reference to FIGs. 1 and 3 of Applicants' specification illustrate how the same ECM is repeated in the transport stream. In addition, FIG. 4 of Applicants' specification further illustrates how ECM1 is stored only once, even though it appears as packet number 1 and 8. The same holds true for ECM2 that appears as packet number 15 and 22. It should thus be clear that the present invention allows for

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the possibility than an ECM packet is transmitted a plurality of times, but the invention does not waste memory resources by only recording the ECM once in the table. This is simply not found in *Unger*.

Similar comments apply to Applicants' remaining independent claim 6.

In view of the above, Applicants respectfully submit that independent claims 1 and 6 are patentable over *Unger*. As such, respective dependent claims 3-5 and 7-9 are also in condition for allowance.

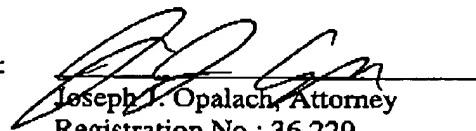
As it is believed that all of the objections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone Applicants' attorney in order to overcome any additional objections that the Examiner might have.

It is believed that there is no fee due regarding the filing of this amendment; however, if there is a fee, please charge the fee, or credit overpayments, to Deposit Account No. 07-0832.

Respectfully submitted,

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